



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF CORRECTIVE ACTIONS

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Kenny C. Guinn, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

February 14, 2006

Mr. John Bland, Clerk of the Works
Elko County School District
1092 Burns Road
PO Box 1012
Elko, NV 89803

re: **Approval of Application for Brownfields Assessment and Cleanup Funding at the Owyhee Combined School, 100 Academic Way, Owyhee, Elko County, Nevada**

Dear Mr. Bland,

The Nevada Division of Environmental Protection, Brownfields Program has received a copy of the Brownfields Funding Application submitted by the Elko County School District for assessment and cleanup services at the Owyhee Combined School. You have been identified as the project contact, and all official correspondence regarding the project will be directed to you. We are happy to announce that based on the information provided in the application the Owyhee Combined School has been accepted into the Nevada Brownfields Program.

During this State Fiscal Year '06 (ending June 30, 2006), we have the resources available to undertake the assessment of the site for petroleum hydrocarbon contamination and any other commingled hazardous substance issues. Cleanup funding will be secured for the project in the fiscal year beginning July 1, 2006 and will be dependent on the results of the site characterization. We have selected Kleinfelder, Inc., out of their Reno office, to undertake these services

It is our understanding that the school property is leased to the Elko County School District and that the buildings are owned by your agency, but that the property is Tribal Trust land held by the Duck Valley Shoshone Paiute Tribes. For this reason, we have sought the concurrence and active involvement of the US Environmental Protection Agency in considering the acceptance of this site into the Nevada Brownfields Program. The Nevada Brownfields Program does not seek to exert any State authority on Tribal Lands by accepting this project into our Program, but we do believe that the assessment and cleanup of the site, on behalf of the Elko County School District, can be accomplished more efficiently and immediately under the State Brownfields Program. When determining an appropriate cleanup for the site, we will work with the Shoshone Paiute Tribes and the US EPA to develop a remedy that is acceptable to all parties.

This project represents a unique partnership between federal, state, local, and tribal governments, made through a commitment of trusting by all parties, to help ensure the health and well-being of all attendants of the Owyhee Combined School. We believe that the initial steps taken in regard to this project, including a site meeting attended by all parties on February 3rd,



2006, have been very positive, and we hope that we can continue to provide a path forward for the improvement of playground facilities at the School.

During our initial meeting on February 3rd, a concern was raised by the Tribal representatives that the funding received through the State Brownfield Program for this project may impact their ability to receive funding for other projects. We wish to assure the School District and the Duck Valley Shoshone-Paiute Tribes that the approval for funding of the Owyhee Combined School under the Nevada Brownfield Program is **site-specific** and will not limit opportunities for funding for other Brownfield projects being pursued by any involved parties. Also, the per-site funding limit is the same for the Federal and State Brownfield programs, so the amount of site-specific grant funding available for the Owyhee Combined School is the same regardless of which resource is being utilized.

If you have any questions, please feel free to contact me at (775) 687-9384. Our environmental consultant is currently drafting a scope of services for the performance of assessment activities in the following months, which we will distribute to all parties shortly. We will keep you involved and updated regarding all project information.

Sincerely,



Scott Smale
Bureau of Corrective Actions

cc (w/ attached application): Steve Simanonok, US EPA (SFD-1), 75 Hawthorne Street, San Francisco, CA 94105

cc: Antoinette Cavanaugh, Elko County School District, PO Box 1012, Elko, NV 89803
Gwen Anne Thacker, Owyhee Combined School, PO Box 100, Owyhee, NV 89832
Marcie Phillips, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
Angele Smith, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
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Marvin Cota, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
Herman Atkins, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
Kyle Prior, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
Lisa Jim, Duck Valley Shoshone Paiute Tribes, PO Box 219, Owyhee, NV 89832-0219
Josh Fortmann, Kleinfelder, Inc., 4875 Longley Lane, Suite 100, Reno, NV 89502-5953
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